

ZB# 95-9

Edward Jollie

15-4-27

Prelim.

March 13, 1995.

4/18/95 j.

Need:

- ① Need to file
- ② Photos - 14
- ③ Fees 50.00 + 390.00 + 24/95.

Motion to schedule a public hearing.

Public Hearing:

April 10, 1994.

Area variance

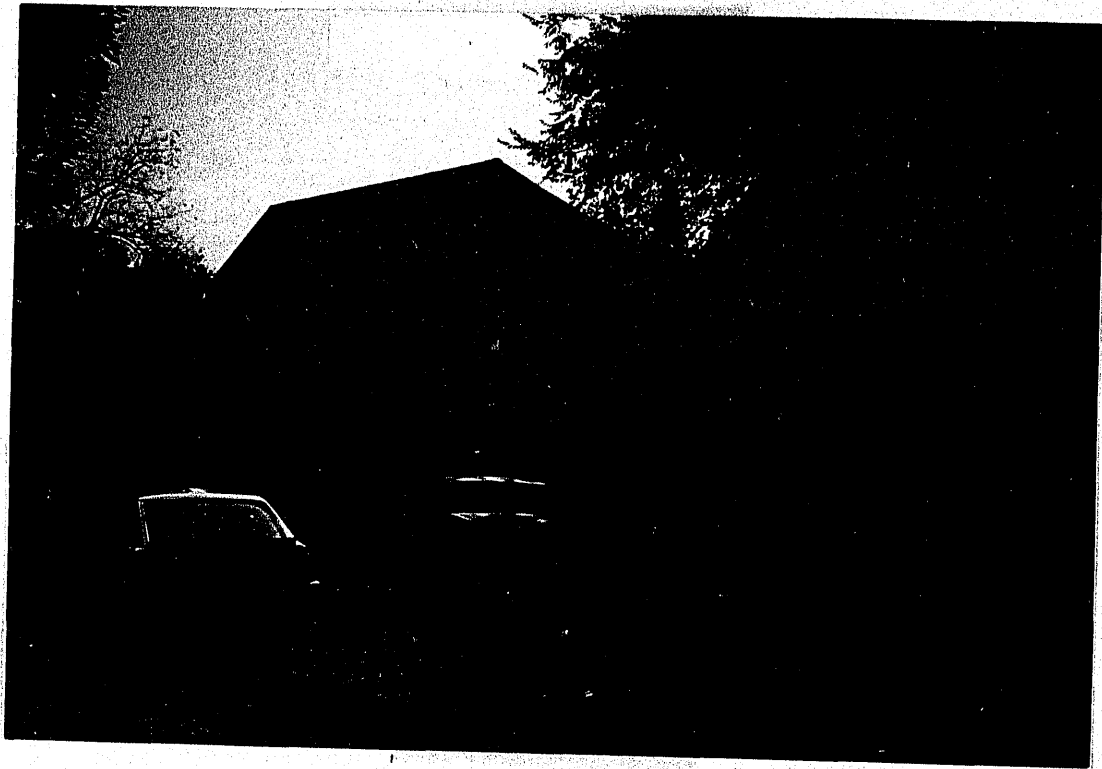
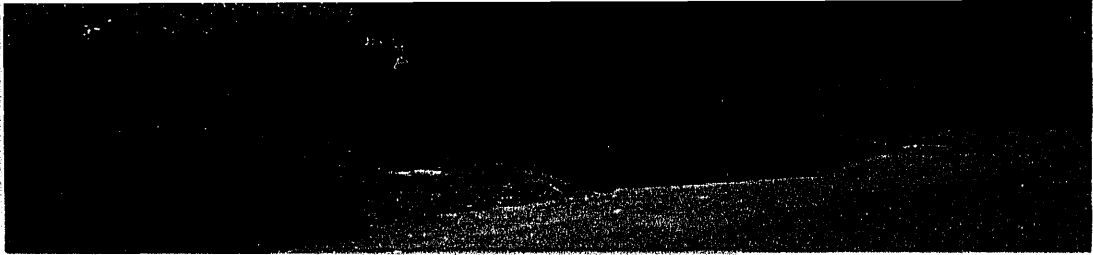
approved

15-4-27.

Refund: \$176.00

#95-9- Jollie, Ed - area variance





TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

14770

March 21 1995

Received of Edward L. Jollie

\$ 50.00/w

Fifty 00/w DOLLARS

For ZBA # 95-9

DISTRIBUTION:

FUND	CODE	AMOUNT
ck# 3438		50.00

By Dorothy H. Hansen

Town Clerk

Title

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Jollie, Ed

FILE # 95-9

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE \$ 50.00 pd.

* * * * *

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00
292.00 pd.

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE	4 pages 3/13/95	\$ <u>18.00</u>
2ND PRELIM. MEETING - PER PAGE	8 " 4/16/95	\$ <u>36.00</u>
3RD PRELIM. MEETING - PER PAGE		\$
PUBLIC HEARING - PER PAGE		\$
PUBLIC HEARING (CONT'D) PER PAGE		\$
TOTAL		\$ <u>54.00</u>

ATTORNEY'S FEES:

PRELIM. MEETING-	HRS.	3/13/95	\$ <u>35.00</u>
2ND PRELIM.	HRS.	4/10/95	\$ <u>35.00</u>
3RD PRELIM.	HRS.		\$
PUBLIC HEARING	HRS.		\$
PUBLIC HEARING	HRS. (CONT'D)		\$
FORMAL DECISION	HRS.		\$
TOTAL HRS.		@ \$	PER HR.
		TOTAL \$ <u>70.00</u>	

MISC. CHARGES:

_____ \$
TOTAL \$ 124.00

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND TO APPLICANT DUE \$ 176.00

-----X
In the Matter of the Application of

EDWARD JOLLIE,

DECISION GRANTING
AREA VARIANCE#95-9.

-----X

WHEREAS, EDWARD JOLLIE, 36 Harth Drive, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 7 ft. maximum building height variance to allow an existing detached one-car garage located at 99 Myrtle Avenue in an R-4 zone; and

WHEREAS, a public hearing was held on the 10th day of April, 1995, before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, applicant appeared before the Board for this proposal; and

WHEREAS, there were four (4) spectators appearing at the public hearing; and

WHEREAS, four (4) persons spoke in opposition to the application citing drainage concerns and the possible use of this building; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence presented by the applicant showed that:

(a) The parcel is a two-family home located in a neighborhood of one and two-family homes.

(b) A variance is sought for the height of a detached garage in order to permit the applicant to obtain a certificate of occupancy. The detached garage is an allowed use and its location otherwise complies with all town local laws.

(c) The garage existed at the time the present owner purchased the premises. This applicant obtained a building permit from the Town of New Windsor Building Department in 1987 to replace a damaged and deteriorated second story. He did not apply for the certificate of occupancy until recently.

(d) On inspection by the New Windsor Building Department for the inspection of occupancy, it was found that the height of the completed garage exceeded the maximum height allowed in that zone under the current regulations.

(e) The Building Inspector confirmed that the structure meets all of the requirements of the town local law and building code except for the height of the structure.

(f) The building has been completed and is 22 ft. in height. The maximum permitted in that zone is a height of 15 ft.

(g) The completed garage structure is at the same height as the principal building on the premises, a residence.

(h) The subject building is not heated nor is it served with utilities and is not being used as a residence or apartment. The applicant was informed that such usage in the future would not be permitted under town regulations or pursuant to this variance if it is granted.

(i) The drainage from the roof of the structure now discharges onto neighboring property but said drainage can be altered so that its discharge is made away from private property.

(j) The applicant has agreed that if the variance he seeks is granted, he will redirect the drainage in the manner indicated in (h) above.

(k) No partitions have been made in the space above the garage which space is now used for non-business storage.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties since the structure has been there for approximately seven (7) years. The structure does discharge drainage onto neighboring property but a condition of the variance granted herein is that the applicant redirect the flow of drainage away from the neighboring property and, therefore, the granting of the variance sought with the aforesaid condition will actually improve the condition of the environment of the neighborhood and neighboring properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The requested variance is substantial in relation to the town regulations but nevertheless is warranted because applicant repaired the structure making it more safe and sightly and the structure is an allowed use in and consistent with the neighborhood.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district. (See 1. above).

5. The difficulty the applicant faces in conforming to the bulk regulations is self-created in that the applicant built the structure but should be granted because the applicant got a

building permit before construction.

6. It is the finding of this Board that the benefit to the applicant, if the requested area variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested area variance is the minimum variance necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 7 ft. maximum building height variance for an existing detached garage at 99 Myrtle Avenue in an R-4 zone, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: May 22, 1995.

Chairman

(ZBA DISK#13-032895.CZ)

-----x
In the Matter of the Application of

EDWARD JOLLIE,

DECISION GRANTING
AREA VARIANCE#95-9.

-----x

WHEREAS, EDWARD JOLLIE, 36 Harth Drive, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 7 ft. maximum building height variance to allow an existing detached one-car garage located at 99 Myrtle Avenue in an R-4 zone; and

WHEREAS, a public hearing was held on the 10th day of April, 1995, before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, applicant appeared before the Board for this proposal; and

WHEREAS, there were four (4) spectators appearing at the public hearing; and

WHEREAS, four (4) persons spoke in opposition to the application citing drainage concerns and the possible use of this building; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence presented by the applicant showed that:

(a) The parcel is a two-family home located in a neighborhood of one and two-family homes.

(b) A variance is sought for the height of a detached garage in order to permit the applicant to obtain a certificate of occupancy. The detached garage is an allowed use and its location otherwise complies with all town local laws.

(c) The garage existed at the time the present owner purchased the premises. This applicant obtained a building permit from the Town of New Windsor Building Department in 1987 to replace a damaged and deteriorated second story. He did not apply for the certificate of occupancy until recently.

(d) On inspection by the New Windsor Building Department for the inspection of occupancy, it was found that the height of the completed garage exceeded the maximum height allowed in that zone under the current regulations.

(e) The Building Inspector confirmed that the structure meets all of the requirements of the town local law and building code except for the height of the structure.

(f) The building has been completed and is 22 ft. in height. The maximum permitted in that zone is a height of 15 ft.

(g) The completed garage structure is at the same height as the principal building on the premises, a residence.

(h) The subject building is not heated nor is it served with utilities and is not being used as a residence or apartment. The applicant was informed that such usage in the future would not be permitted under town regulations or pursuant to this variance if it is granted.

(i) The drainage from the roof of the structure now discharges onto neighboring property but said drainage can be altered so that its discharge is made away from private property.

(j) The applicant has agreed that if the variance he seeks is granted, he will redirect the drainage in the manner indicated in (h) above.

(k) No partitions have been made in the space above the garage which space is now used for non-business storage.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties since the structure has been there for approximately seven (7) years. The structure does discharge drainage onto neighboring property but a condition of the variance granted herein is that the applicant redirect the flow of drainage away from the neighboring property and, therefore, the granting of the variance sought with the aforesaid condition will actually improve the condition of the environment of the neighborhood and neighboring properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The requested variance is substantial in relation to the town regulations but nevertheless is warranted because applicant repaired the structure making it more safe and sightly and the structure is an allowed use in and consistent with the neighborhood.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district. (See 1. above).

5. The difficulty the applicant faces in conforming to the bulk regulations is self-created in that the applicant built the structure but should be granted because the applicant got a

building permit before construction.

6. It is the finding of this Board that the benefit to the applicant, if the requested area variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested area variance is the minimum variance necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 7 ft. maximum building height variance for an existing detached garage at 99 Myrtle Avenue in an R-4 zone, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: May 22, 1995.

Chairman

(ZBA DISK#13-032895.CZ)

April 10, 1995

8

JOLLIE, EDWARD

MR. NUGENT: Request for 7 ft. maximum building height for existing one-car garage at 99 Myrtle Avenue in an R-4 zone.

Mr. Edward Jollie appeared before the board for this request.

MR. NUGENT: Tell us what you want to do.

MR. JOLLIE: This is for a garage that existed at the time of the purchase of the house which had a rotted out roof, okay which I replaced with a second story on top of the garage, obtained a building permit 3977 in December of 1987 and I never followed up and got it C.O.'d or anything like that and the current code requires the height variation anything above 15 feet to have a variance. That is basically what I am here for a variance on that.

MR. NUGENT: To obtain a C.O.?

MR. JOLLIE: Correct.

MR. NUGENT: Mike, is there anything we should know about that?

MR. BABCOCK: No, he did receive a building permit in 1987 for the construction of a one car garage.

MR. TORLEY: In your opinion, has this been built to reasonable compliance with the outline of the building permit?

MR. BABCOCK: To my knowledge, my guys were there, that was the whole purpose, we went there for a C.O. inspection and they, when we got some more information, everything was fine with the construction, except for the height.

MR. TORLEY: This is due to the proximity to the side yards?

MR. BABCOCK: No, the 4814 also states that an

Date 4/7/95, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 147 Sycamore Dr. DR.
New Windsor, NY 12553

DATE		CLAIMED	ALLOWED
4/18/95	Zoning Board Meeting Misc - 3 Louano - 6 Joline - 8 \$36.00 <u>Voting - 5</u> 22 pgs	75 00 99 00 <u>174 00</u>	

accessory structure within the required setbacks has a maximum building height of 15 feet and at the public hearing, Mr. Jollie had stated that this building is 22 feet high.

MR. NUGENT: That is the peak, right?

MR. BABCOCK: That is correct.

MR. NUGENT: I can see it's pretty high according to the pictures. Is there a reason why that is so high?

MR. JOLLIE: I don't know if the pictures I showed you it was detached, it matches the height of the existing house and it, what it is is it's 2, eight foot, the downstairs is probably a little higher than eight foot and an eight foot second, but then the peak is what, because I had the contractor build the peak to match the house, because the house is a Cape Cod kind of style with the dormers so he matched the peak to that. So basically, that is where the other footage came in from that second floor roof.

MR. TORLEY: We want to make sure it's not a living space.

MR. JOLLIE: No, Frank was just there March 8.

MR. TORLEY: Mike, it would not be considered living space?

MR. BABCOCK: No, they have down here a garage with storage.

MR. JOLLIE: There are no services or utilities.

MR. BABCOCK: Not heated.

MR. NUGENT: Any other questions by the board?

MR. KANE: Not at the moment.

MR. NUGENT: I'd like to open it up to the public, if you have any comments, we'd like to hear 'em.

MRS. MARGARET KOMAR: There's a house on 96 Merline Avenue, there is a house on 99 Merline Avenue, now as of March 3, he put up new gutters on each end toward the back. Now when we get a lot of rain, we're going to get a lot of water into our yards, Jollie's yard, Carlstrom and our yard will be getting water so what are you going to do about the drainage for that?

MR. JOLLIE: The gutters were put up as per Frank when he came and did the inspection, asked me to put those on for the C.O., so, you know.

MR. NUGENT: Is there any way to direct the water?

MR. JOLLIE: Oh, sure.

MR. NUGENT: So, it doesn't go in their yard?

MR. JOLLIE: Yeah, you can put a down, it's got a downspout, but you can put a guard that runs it, you know, off the other way that just hook it into the drainage.

MRS. KOMAR: Just there's like a little hill, a little mound where the water is going to go in and if it rains a lot, lot of water is going to be laying there, it's going to be saturated and he has a sewer there, that will be getting filled up. What are you going to do about that?

MR. JOLLIE: We can run the water off just by putting a pipe in there. Currently, the water, what was happening before the water was just running off anyway, just running down and dripping on the ground, actually made a little groove.

MRS. KOMAR: That should have been diverted to go down to Myrtle Avenue.

MR. JOLLIE: That is what I am saying is we can add a pipe on the bottom and just run it out towards the front of the garage, piece of PVC wouldn't be a problem to put in there, you know what I am saying. Run a pipe to the front of the garage so it runs down towards Myrtle.

April 10, 1995

11

MRS. KOMAR: Right passed the house where the house is there.

MR. JOLLIE: Right, exactly, yeah.

MRS. KOMAR: Is that building safe there?

MR. JOLLIE: I know it's safe. I have engineering inspections.

MRS. KOMAR: It's supposed to be a garage, there was not supposed to be a house there or any kind of a building, there's supposed to be a garage. That is what it was for to go with the house.

MR. JOLLIE: Right and it still is a garage. There's nothing in there.

MRS. KOMAR: But what do you got upstairs?

MR. JOLLIE: Storage. I can show you pictures, if you want to see it.

MRS. KOMAR: You got partitions in there?

MR. JOLLIE: Nope, it looks just like this.

MRS. KOMAR: I thought you had partitions in there.

MR. JOLLIE: Well, there is wood framing in there, yeah, that is the garage. There's the cement floor, you can see the wood framing. There's framing inside there, yeah.

MRS. KOMAR: So what's that going to be for, what?

MR. JOLLIE: Only for storage, can't be used for anything else.

MRS. KOMAR: That is a business, isn't it? Is that a business storage?

MR. JOLLIE: No.

MRS. KOMAR: Is that for a business?

MR. JOLLIE: No, it's vacant.

MRS. KOMAR: Isn't that, what does it say here, is that residential?

MR. BABCOCK: Yes.

MRS. KOMAR: You got a big storage place like that?

MR. TORLEY: If he wants it.

MRS. KOMAR: You get a lot of heavy stuff that foundation is going to, you know.

MR. JOLLIE: I have a picture of a house located at 63 Myrtle that has a living quarters above built on the same exact thing. If you put that against the picture of that, they look almost exactly the same that is at 63 Myrtle.

MR. NUGENT: Margaret, he only has a permit for a garage, period.

MRS. KOMAR: That was for a garage?

MR. NUGENT: That is it. He can have storage upstairs.

MRS. KOMAR: Could he have it?

MR. NUGENT: Yes. Is there any questions?

MR. DE WITT: Jim DeWitt, I live next door at 101. My only concern was the storage, what it was going to be used for. And if it is going to be used for commercial, I have no problem with it. If it's residential storage, it's okay.

MR. NUGENT: Okay.

MR. KRIEGER: Legally speaking, this would not give him any permission to use the property in any other way than is permitted by the zoning. There is no use variance at question. He wouldn't be allowed, if he

were to use it in a commercial fashion, then it would be a violation of the law, even if the application that he asks is granted in all respects, he still isn't permitted by law to use it differently.

MR. NUGENT: Any further questions?

MRS. FRANCES HOMIN: 19 Merline Avenue. I understand his house is for sale right now. Would that continue when the new buyer, when he sees that, he might want to, I understand this house is for sale now, any buyer that comes along, they'll probably see that and probably convert it to a little cottage or something.

MR. TORLEY: Not legally.

MR. NUGENT: Can't do it.

MR. TORLEY: If you see anybody doing it, give the building inspector a call.

MR. NUGENT: Only permitted for a garage.

MRS. HOMIN: She was concerned about the gutters. Remember years ago, we had tons and tons of water from the adjacent property and the whole place was flooded up to the neighbor's ceiling so we're afraid of the two gutters that are draining onto their property, do the same thing, so we would appreciate if that was turned around going down to Myrtle Avenue.

MR. NUGENT: I think that was agreed upon by the applicant.

MR. JOLLIE: That is not a problem.

MR. HOMIN: John Homin, 91 Merline Avenue, Mr. Chairman and board members, there is a word of caution here that the street, Myrtle Avenue, seems to attract several violations of the past of apartments being built on top of garages and after the fact, you know, and then they come to the board and ask for leniency and so forth. So there's a word of caution here that the intention possibly was for an apartment to be built on that top of that garage and that is why the height was asked.

MR. NUGENT: Okay.

MR. TORLEY: Again, sir, this is not permitted that if you think that is being used as that, let us know. This is not the application and it would be a classic case of self-created hardship if somebody did put up a garage and complained when we told them to take it out.

MR. JOLLIE: It would also be, you'd be able to see because they'd have to hook up utilities. You'd see the electric lines. Right now, there's no heat, no hot water. It's vacant. So there'd have to be some visible signs that you could see that they did do that.

MR. NUGENT: Any further questions by the audience? At this time, I'll close the public hearing.

MRS. BARNHART: Can I get a note on the record? I sent out 54 addressed envelopes to adjacent property owners.

MR. KRIEGER: This is a one family home in a neighborhood of one family homes?

MR. JOLLIE: No, there is a two family.

MR. KRIEGER: It's a two family residence but it's in the neighborhood of one or two family homes?

MR. JOLLIE: Correct, they are one or two family homes.

MR. KRIEGER: I think everything else we've got here is enough.

MR. NUGENT: Any further questions by the board? I'll accept a motion.

MR. TORLEY: I move we grant Mr. Jollie the requested height variance for the one car garage emphasizing garage at 99 Myrtle Avenue.

MR. KANE: I'll second that.

ROLL CALL

April 10, 1995

15

MR. KANE	AYE
MR. LANGANKE	AYE
MR. TORLEY	AYE
MR. REIS	AYE
MR. NUGENT	AYE

4/10/95

Public Hearing - Lollie, Edward #95-9.

Name:

Q Deewit

Margaret Kovan

John & Frances Horner

Address:

101 Myrtle Ave

96 Myrtle Ave

91 Myrtle Ave

Delim.
March 13, 1995

OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: MARCH 10, 1995

APPLICANT: EDWARD JOLLIE
36 HARTH DRIVE
NEW WINDSOR, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED: DECEMBER 1, 1987
FOR (BUILDING PERMIT): FOR EXISTING ONE CAR GARAGE ALTERATIONS.
LOCATED AT: 99 MYRTLE AVENUE

ZONE: R4

DESCRIPTION OF EXISTING SITE: SECTION: 15, BLOCK: 4, LOT: 27
TWO FAMILY HOME

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. GARAGE EXCEEDS THE MAXIMUM ALLOWED HEIGHT OF FIFTEEN FEET.

Einst Schmidt
BUILDING INSPECTOR

REQUIREMENTS

PROPOSED OR AVAILABLE

VARIANCE REQUEST

ZONE: R4 USE 48-14 A (1)(a)

MIN. LOT AREA

MIN. LOT WIDTH

REQ'D FRONT YD

REQ'D SIDE YD

REQ'D TOTAL SIDE YD

REQ'D REAR YD.

REQ'D FRONTAGE

MAX. BLDG. HT. 15FT.

22FT
~~19FT.~~

7FT
~~4FT.~~

REVISED 3-13-95

MB

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT
914-563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
CC: Z.B.A., APPLICANT, B.P. FILES.

Name of Owner of Premises Edward L Jollie
Address 99 Myrtle Ave Phone 561-4980 (1010)

Name of Architect.....
Address..... Phone.....

Name of Contractor Ed Jollie/Lou Lafetra
Address 89 Lawrence Ave Phone.....

State whether applicant is owner, lessee, agent, architect, engineer or builder: Owner
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the left side of Myrtle Ave
(N. S. E. or W.)
and 700' feet from the intersection of Myrtle and Bradford

2. Zone or use district in which premises are situated 15 4 28.2

3. Tax Map description of property: Section 15 Block 4 Lot 27

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy garage b. Intended use and occupancy garage/NOT HEATED

5. Nature of work (check which applicable): New Building.....Addition.....Alteration.....Repair.....Removal.....
Demolition.....Other.....

6. Size of lot: Front..... Rear..... Depth..... Front Yard..... Rear Yard..... Side Yard.....

Is this a corner lot? NO

7. Dimensions of entire new construction: Front 21 Rear 21 Depth 21 Height 8' Number of stories 2-1 already exists

8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....

Number of bedrooms..... Baths..... Toilets.....

Heating Plant : Gas.....100.....Oil.....11.....Electric...../Hot Air..... Hot Water.....

If Garage, number of cars.....

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....

10. Estimated cost 2200.00 Fee
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION — YOU MUST CALL FOR THESE

Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections, it has not been approved, and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS — 565-8807

- 1—When excavating is complete and footing forms are in place (before pouring).
- 2—Foundation Inspection - check here for waterproofing and footing drains.
- 3—Inspect gravel base under concrete floors, and underslab Plumbing.
- 4—When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- 5—Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.
- 6—Driveway inspection must meet approval of town Highway Inspector.
- 7—\$20.00 charge for any site that calls for the same inspection twice.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer —
Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

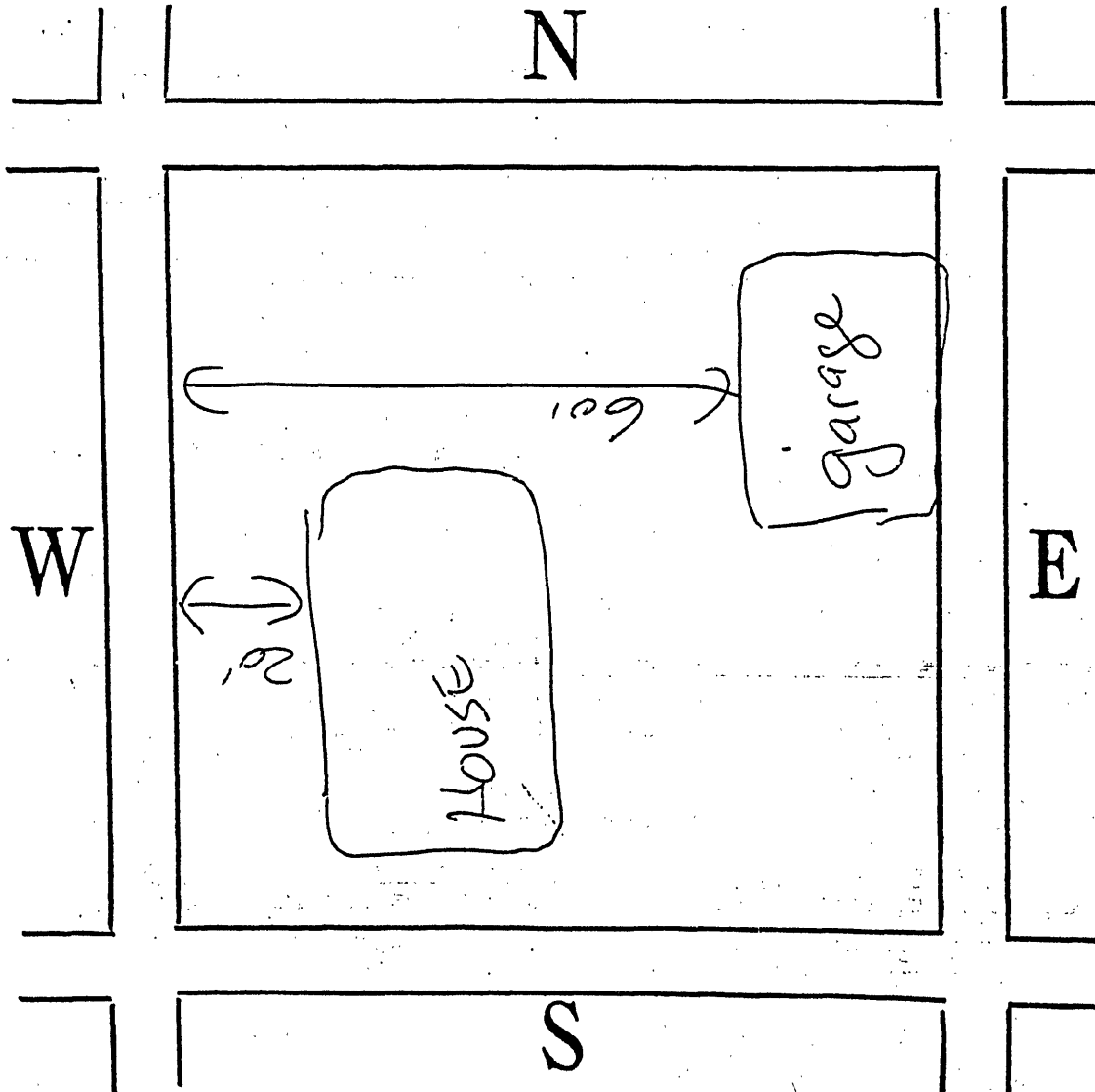
.....
(Signature of Applicant)

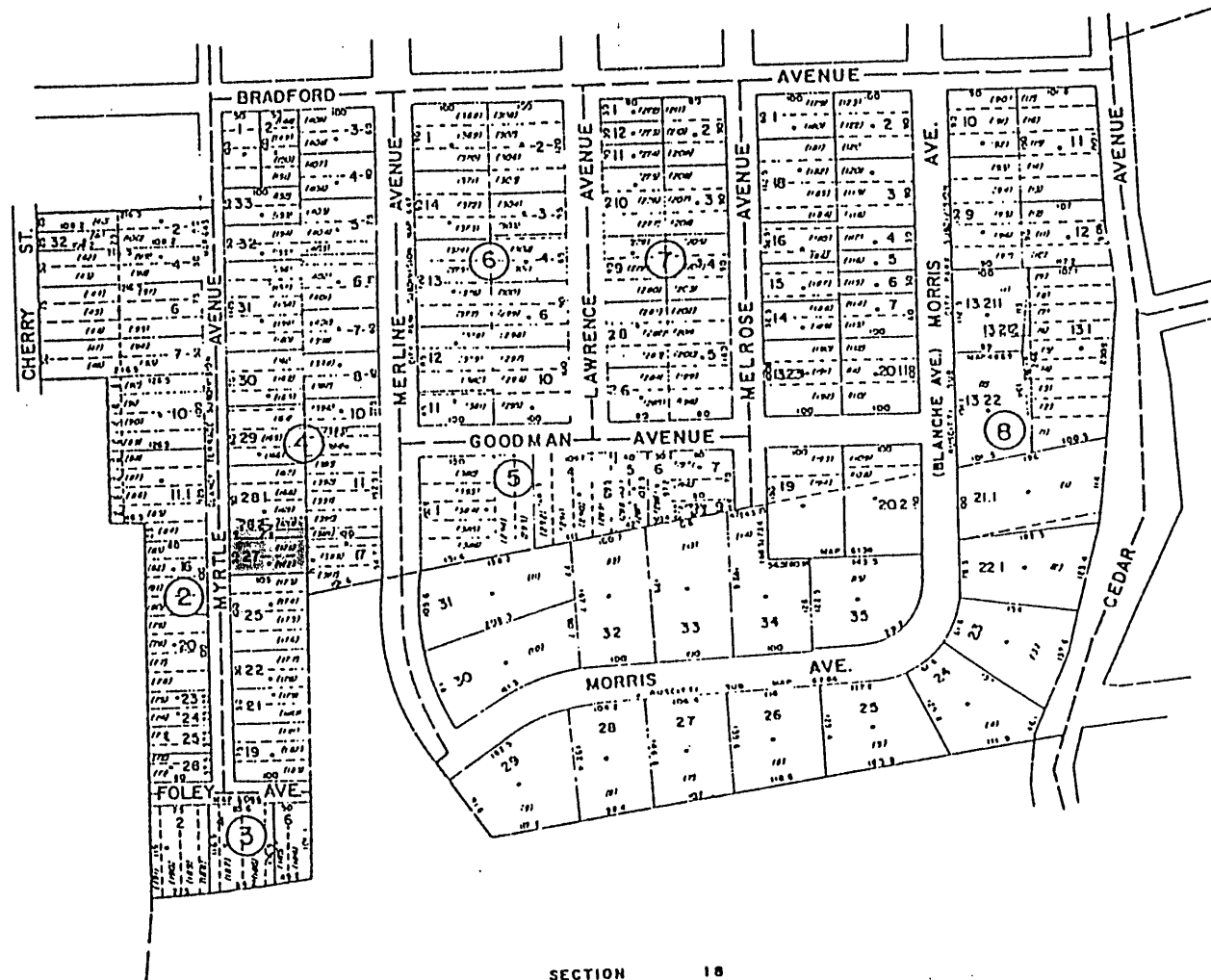
99 Myrtle Ave.....
(Address of Applicant)

PLOT PLAN

NOTE: For all buildings and additions, the plot plan must be submitted.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.





221

ALL NEWBURGH SCHOOL DISTRICT
ALL QUASSACK BRIDGE FIRE DISTRICT

Prepared by
ORANGE CO. TAX MAP DEPT.
NORTH ST., GOSHEN, N. Y. 10924
1989
FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE

LEGEND			
STATE OR COUNTY LINE	WATER PLANT LOT LINE	100' MAP BLOCK NO.	WATER PLANT BLOCK NO.
CITY, TOWN OR VILLAGE LINE	SEWERAGE LINE	100' MAP PARCEL NO.	100' MAP PARCEL NO.
BLOCK & LOT LINE	WATER LINE	AREA	STATE HIGHWAY
SECTION	WATER LINE	DIMENSIONS	COUNTY HIGHWAY
			TOWN ROAD

ORANGE COUNTY-NEW YORK

Photo No. 14-30-31 Date of Map 9-24-67
Date of Photo 3-1-65 Date of Revision 3-1-91
Scale: 1" = 100'

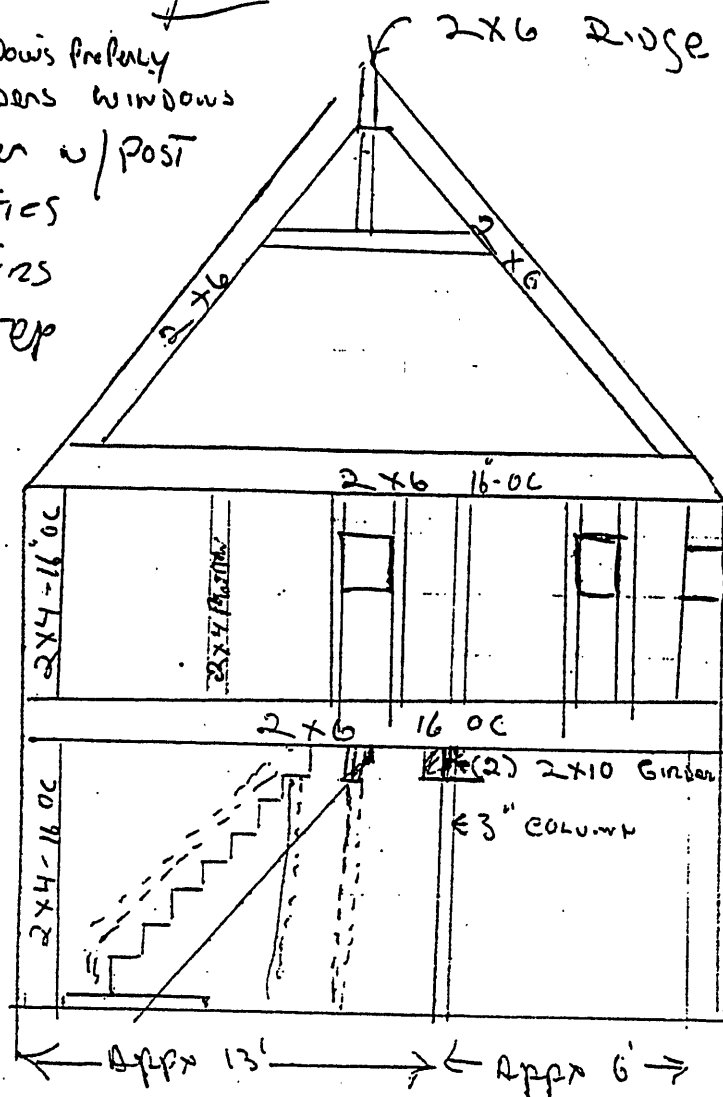
TOWN OF NEW WINDSOR

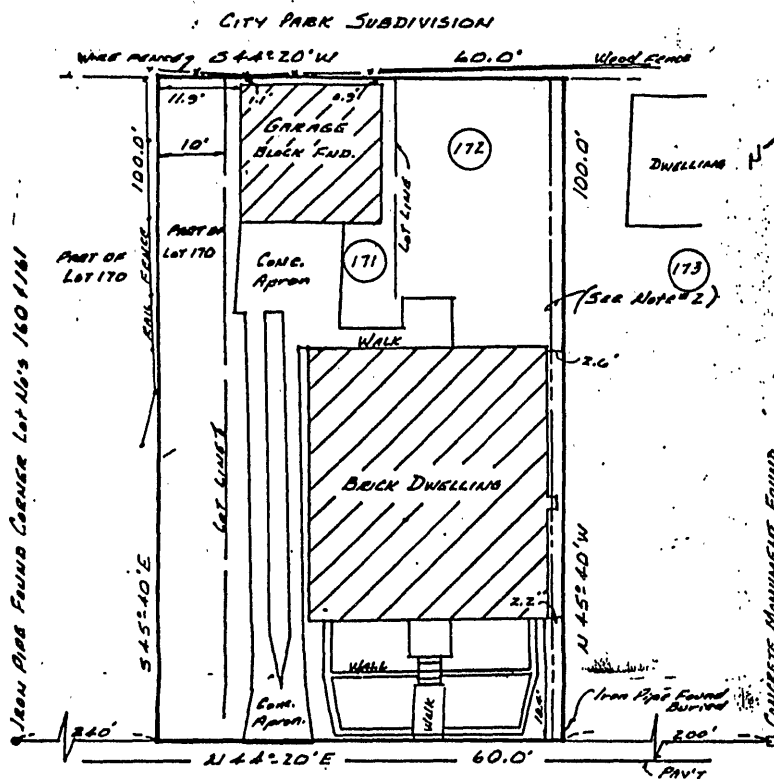
Section No. 15

12-3-87 Jim

Needs

- Frame windows properly
- (2) 2x8 Headers windows
- (2) 2x10 Girder w/post
- ADD COLLAR TIES
- SUPPORT STAIRS
- ADD Bottom STEP





NOTES:

1) Unauthorized alteration or addition to this map is a violation of Section 7209 (2) of the N.Y.S. Education Law.

Copies of this map not having the original int or embossed seal of the Land Surveyor shall not be valid.

Guarantees or certifications are not transferable to additional institutions or subsequent owners.

Easements or right-of-ways on, or under the lands, and not visible, are not shown.

Subject to public utility, grants, easements and right-of-ways of record if any.

2) Lot line according to map of lands of James J. Delaney dated 4 Feb. 1985 by Patrick Kennedy surveyor, said line is 0.6' southerly of brick dwelling and 0.8' through chimney.

3) Being Lot No's 171, 172 and the southerly 10' of Lot No. 170, from a map titled "Clancy Terrace", dated 12 Nov 1916 and filed 7 Feb. 1916.

4) This Map Depicts Section 15, Block 4 - Lot 27 of E.B.R.

SURVEY FOR

EDWARD L. JOLLIE

TOWN OF NEW WHIPPORE • ORANGE CO. • NEW YORK

SCALE: 1"=20'

DATE: 23 JUNE 1986

Job No.: 86-43

Certified to, Edward L. Jollie; Ulster Savings Bank Its Successors and/or Assigns; and, American Title Insurance Company, from a survey of 13 June 1986.



ANTHONY D. VALDINIA
LAND SURVEYOR

4 PRESTANT VIEW AVE.
NEWBURGH, N.Y. 12550

N.Y.S. Lic No.: 049120

5640117
ED JOLLIE

Permit No: 8977

File Date: 12/ 1/87

BUILDING PERMIT

SEC-BLK-LOT: 15-4-27.0

Permit Fee: \$\$\$\$25.00

A permit is hereby given by the Building Department of the Town of New Windsor, Orange County, N.Y., for the structure described herein:

Owner's Name: JOLLIE, EDWARD L.

Address: 89 MYRTLE AVENUE, NEW WINDSOR, NEW YORK

Architect's Name:

Address:

Builder's Name: ED JOLLIE/LOU LAPAITRA

Address: 89 LAWRENCE AVENUE, NEW WINDSOR, NEW YORK

Location of Building: MYRTLE AVE. LYS

Material: FRAME

Number of Stories: 0.0

Number of Families: 1

Dimensions of Building: SEE PLANS

Dimensions of Lot: SEE PLANS

Use of Building: GARAGE-1 CAR

Number of Bedrooms: 0

Number of Toilets: 0

Number of Bathrooms: 0.0

Heating Plant: N/A

Remarks: THIS PERMIT ISSUED FOR ONE CAR GARAGE

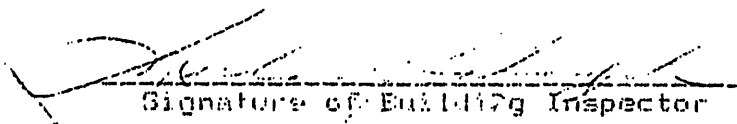
Approximate Cost: \$\$\$\$2,200.00

- I am familiar with the Zoning and Building Ordinance of the Town of New Windsor, and do hereby agree to abide by them.
The information stated above is correct and accurate.


Signature of Applicant

IMPORTANT

- A permit under which no work has commenced within six (6) months after issuance, shall expire by limitation, and a new permit must be secured before work can begin.
It is the responsibility of the owner and/or contractor to comply with all applicable town ordinances and to call for the required inspections at least one day in advance.


Signature of Building Inspector

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

95-9

Date: 3-20-95

I. ✓ Applicant Information:

- (a) Edward Jollie 36 Harth Drive 561-0117
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) Serald Fiedelhart 270 Quassick Ave
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) R4 99 Myrtle Avenue 15-4-27 60 x 100
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? None
- (c) Is a pending sale or lease subject to ZBA approval of this application? yes
- (d) When was property purchased by present owner? 11/4/81
- (e) Has property been subdivided previously? no
- (f) Has property been subject of variance previously? no
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? no
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: None
- _____

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow: _____
(Describe proposal) _____
- _____

N/A
 (b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

N/A
 (c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. I.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. <u>15 FT</u>	<u>22 FT</u>	<u>7 FT</u>
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

(attached)

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: *N/A*

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: *N/A*

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

Five Factors in Granting Variance

The following addresses the five factors considered as they pertain to 99 Myrtle Avenue.

1. When purchased in 1981 this detached garage had been left to the elements. It had no garage door and had not for some time. The roof and joists had deteriorated significantly and leaked all over. It had become a haven for animals due to the accessibility.

My work on this structure not only did not create a detriment to the neighborhood, it in fact was a very great enhancement. Instead of the eyesore that existed it is now an attractive, fully enclosed, vinyl sided structure meeting all required building codes. Since my purchase of this property I have spent many thousands of dollars to enhance both the house and the detached garage.

2. This is an existing structure. Building permit # 3977 was obtained in December of 1987. I did not obtain the C.O. at that time which is the reason I have been placed in a position to obtain the variance. Therefore, resolution can be achieved in no other manner.

3. I do not consider the requested variance to be substantial. As it is a height consideration on an existing building it does not infringe on any neighboring property. The request is for only 7 feet of height. Many structures in the area can be found that are above 15 feet, and it matches the house which is a two story structure.

4. On this item I believe this repair and addition can be found in no way to have an adverse effect or impact on the neighborhood. As I am sure the zoning board is aware, this particular area in New Windsor, Often referred to as "Ducktown", is unique and a total mix of house styles, garages, trailers, a VFW post, a barn, etc. Due to the condition in which I purchased this house I believe all of the enhancements I have made have done nothing but benefitted this area positively. I will offer photos in evidence of this of current area conditions. Therefore, environmentally I see no impact at all, and physically I see a definite positive effect. Also I guess in this case you could consider that a proven fact, not a projected one. Since this building has stood since the renovations in 1987 for 8 years now with no negative impact.

5. Self- created, yes and no. This is the first house I purchased in New Windsor. I was not aware of all building codes and requirements when I purchased it in 1981 nor when I made this enhancement in 1987. I did go and get the necessary building permit in 1987. That was permit number 3977 dated December 1, 1987 and signed by Michael Babcock. Had I immediately gotten the CO I would have done everything properly and not be seeking a variance. However as code apparently changed since then I need to follow the procedure to close this issue.

General : I am a lifelong resident of the Town of New Windsor. I am proud of the residences I own in this town. I have worked to not only maintain but improve them and consider this to be an enhancement to the good of New Windsor. We all see many houses that fall into disrepair for many reasons, mine are not among them. My leases at the Myrtle Avenue residence are in fact very strict to preserve the enhancements and property for the good of the neighborhood. This is a variance request for very good and positive work that I have done at this residence. On another positive note I have done work requiring building permits on my other property, and as with this one done back in 1987, and I have found Mr Babcock and Mr Lisi to have been of considerable assistance with good attitudes in guiding me through them. I thank the Zoning Board for your time to review this note and application.

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

-----X
In the Matter of Application for Variance of

Edward Sallie,

Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

95-9
-----X

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age
and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

on March 24, 1995, I compared the 54 addressed
envelopes containing the attached Notice of Public Hearing with
the certified list provided by the Assessor regarding the above
application for variance and I find that the addressees are
identical to the list received. I then mailed the envelopes in a
U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

Sworn to before me this
24th day of March, 1995.

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1995

(TA DOCDISK#7-030586.AOS)

Date 5/22/95, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 147 Sycamore Dr. DR.
New Windsor, NY 12553

DATE		CLAIMED	ALLOWED
3/13/95	Zoning Board Meeting	75.00	
	Misc. - 1		
	Jollie - 4 pgs 18.00		
	Morte - 3 pgs		
	<u>Devitt - 6 pgs</u>		
	14 pgs	63.00	
		<u>138.00</u>	

PRELIMINARY MEETING:

JOLLIE, ED

MR. NUGENT: Request for four ft. maximum building height variance for existing one-car garage at 99 Myrtle Avenue in an R-4 zone.

Mr. Ed Jollie appeared before the board for this proposal.

MR. JOLLIE: Basically, it is an existing garage, an existing structure that I never got the C.O. for back in '87 and through the real estate deal, my real estate agent had to realize I guess according to code, now I'm not familiar with it, that is over the allowable height, which is now supposedly 15 feet.

MR. NUGENT: What's this you're talking about, the garage?

MR. JOLLIE: Yes, I have pictures of it.

MR. NUGENT: Would you bring them up?

MR. JOLLIE: Sure. What it is when I bought the house there was a garage in the back and the roof was rotted so I replaced it and put a storage area and Frank came to look at it the other day, it's just stud wall inside. Just for a perspective, that is the picture of the house, you can see it's in the far back of the lot and what it is just from ground to peak right there is 22 feet.

MR. NUGENT: And you're allowed 15 and you have 19?

MR. JOLLIE: It's actually 22, that was Frank's estimate.

MR. KRIEGER: You don't need a 4 foot, you need a 7 foot?

MR. JOLLIE: Seven foot.

MR. NUGENT: Do you want to change that, Michael?

MR. BABCOCK: Excuse me?

MR. NUGENT: He needs a 7 foot, not a 4 foot, his building height is 22 foot to the peak, not 19.

MR. BABCOCK: Okay, yeah.

MR. TORLEY: What is the maximum building height allowed?

MR. NUGENT: Fifteen.

MR. BABCOCK: 35 feet.

MR. NUGENT: That is all he can have.

MR. BABCOCK: You can have an accessory structure is permitted in any required side or rear yard, provided it does not exceed 15 feet in height. If you want to comply with the required side yards, such as 15 foot and 40 foot, you can build it up to 35 feet high, that is as the principal building.

MS. BARNHART: So it is 7 foot he's asking for a variance?

MR. JOLLIE: Right.

MR. TORLEY: How far is the garage from the property line?

MR. NUGENT: Yeah, that is the next question.

MR. JOLLIE: It's down in ducktown and the garage was existing, as I said, the garage is right here, it's in the back. The sides are, you know, it's all set on the sides but it's located right in the back of the property line and I said, that was existing, you know, when we added this at the time.

MR. TORLEY: I was trying to figure out how you get a building height variance for a garage.

MR. BABCOCK: The only thing he changed was the height.

MR. JOLLIE: Right.

MR. TORLEY: Same foundational pre-existing things was just carried over.

MR. JOLLIE: Right, the only thing that was replaced was the roof structure.

MR. BABCOCK: Sir, I think this is your plan. Is this your plan?

MR. JOLLIE: Could have been.

MR. BABCOCK: Cause that states 19 feet.

MR. JOLLIE: Yeah 19'10", it was a rough estimate.

MR. KRIEGER: When you did the work, did you get a permit, building permit for this?

MR. JOLLIE: I didn't when I first started because I wasn't aware I needed one but I did get one afterwards.

MR. KRIEGER: But you're not able to get a C.O.?

MR. JOLLIE: Right, I got everything but the C.O.

MR. KRIEGER: It's in the legal no-man's land.

MR. JOLLIE: Right and I said it was back in '87 and I kind of just never did anything with it till I realized.

MR. TORLEY: Just a storage loft above there?

MR. JOLLIE: Right, Frank did come over and look at it last Wednesday and he also asked me to give him a copy, there wasn't an inspection done recently that says the structure was sound so I have to give him a copy of that also.

MR. TORLEY: Would you entertain a motion?

MR. NUGENT: Yes.

MR. TORLEY: I move we set Mr. Jollie up for a public hearing for his request for height variance.

MR. REIS: Second it.

ROLL CALL

MR. TORLEY	AYE
MR. REIS	AYE
MR. NUGENT	AYE

MR. KRIEGER: Mr. Jollie, if you would take these. By law, the Zoning Board of Appeals can take no action unless they have a public hearing. At the public hearing, those are the criteria that the law sets forth that they must follow. If you would address yourself to those criteria when you come back for your public hearing, it would be easier for the Zoning Board to make a decision. Do you have either your title or your deed in your presence?

MR. JOLLIE: Not with me. I do at home.

MR. TORLEY: At the hearing.

MR. KRIEGER: Not right now, if you would bring them with you to the hearing so that I can look at them. There's no need for me to keep them, I just need to look at them at that point.

MR. JOLLIE: Okay.

MS. BARNHART: This is for you also. May I have those papers back, Mike? Bring the photos back when you come for the hearing.

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

Rec'd. 3/21/95
ZBA (PAB)

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 9

Request of Edward L. Jollie

for a VARIANCE of the Zoning Local Law to permit:

Height of existing garage exceeds 15 feet,
Obtain C.O. for 22 feet garage/storage area
being a VARIANCE of Section 48-12 - Table of Use/Bulk
Reqs. - Col. I

for property situated as follows:

99 Myrtle Avenue

New Windsor, NY 12553

known as tax lot Section 15 Block 4 Lot 27.

SAID HEARING will take place on the 10th day of April,
1995, at New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York, beginning at 7:30 o'clock P.M.

James Nugent
Chairman

Edward L. Jollie
99 Myrtle Avenue
New Windsor, NY 12553

Sub: Variance at 99 Myrtle

Dear Neighbors,

I am including this note to assist in understanding the purpose of this variance as it may not be apparently evident in the body of the form letter enclosed.

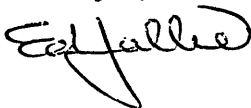
This note involves no changes what so ever to my property as it stands today. When I purchased this residence in 1981 it needed many repairs. Over the years I have invested a lot of money to improve this property, which in turn helps improve all of our property values.

This variance references in particular the detached garage at this residence. When purchased this garage had be left unkept for many years. The roof lumber had actually rotted. It was an eyesore and required the removal of the entire roof structure. In 1987 I was able to do these repairs. We removed roof structure and replaced it with storage space and a new roof. A new garage door has also been added. Building permit for this was permit number 3977 dated 12/1/87.

I never obtained the CO for this and that is the purpose of this variance. Even though there is a building permit, for anything over 15 feet you must obtain a variance. Since this structure is 22 feet high, the variance is simply for the 7 feet. This structure is unfinished frame inside. It was inspected by Frank Lisi of the Town of New Windsor building department on Wednesday March 8. It is unable to be used for anything but storage and will remain so.

So, in short, this variance is for exactly what is stated above. The property will remain exactly as it is and has been for the last 8 years since these repairs improvements were made.

Thank you,





1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

54

March 20, 1995

Mr. Edward Jollie
99 Myrtle Avenue
New Windsor, N. Y. 12553

Re: Tax Map Parcel #15-04-27

Dear Sir:

According to our records, the attached list of property owners are within five Hundred (500) feet of the above-referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's office.

Sincerely,

LESLIE COOK
Sole Assessor

/pab
Attachment
cc: Pat Barnhart

Vignogna, Joseph D.
64 Myrtle Avenue
New Windsor, N. Y. 12553 X

Palantino, Fannie, Estate of &
Commissioner of Public Welfare
County of Orange
75-77 Webster Avenue
Goshen, N. Y. 10924 X

Vignogna, Daniel, Sr. & Margaret C.
74 Myrtle Avenue
New Windsor, N. Y. 12553 X

Rizzo, Gaetano
116 Myrtle Avenue
New Windsor, N. Y. 12553 X

Spoto, Alfonso & Rosalia
118 Myrtle Avenue
New Windsor, N. Y. 12553 X

Di Chiaro, Vincent A. & Theresa
122 Myrtle Avenue
New Windsor, N. Y. 12553 X

Delicio, Daniel & Dolores
53 Myrtle Avenue
New Windsor, N. Y. 12553 X

DeFabio, Vincent R. & Rose D.
1 Foley Avenue
New Windsor, N. Y. 12553 X

Mastrorocco, Edward & Rita
Foley Avenue
New Windsor, N. Y. 12553 X

Petro, John
8 Park Hill Drive
New Windsor, N. Y. 12553 X

Corso, Anne
63 Bradford Avenue
New Windsor, N. Y. 12553 X

Crawford, David
10 Hilltop Avenue
Newburgh, N. Y. 12550 X

Yonnone, David
82 Merline Avenue
New Windsor, N. Y. 12553 X

Alexander, Michael W. & Sharon I.
80 Merline Avenue
New Windsor, N. Y. 12553 X

Yonnone, Gus J. & Anna
82 Merline Avenue
New Windsor, N. Y. 12553 X

McDermott, Ronald M. & Lari-Sue
88 Merline Avenue
New Windsor, N. Y. 12553 X

Gilfeather, Robert J. & Rose H.
90 Merline Avenue
New Windsor, N. Y. 12553 X

Komar, Margaret & Caroline & Frank
96 Merline Avenue
New Windsor, N. Y. 12553 X

Carlstrom, Charles & Mazzola, Marlene
33 Holmes Road
Newburgh, N. Y. 12550 X

Vignogna, Louis J.
111 Myrtle Avenue
New Windsor, N. Y. 12553 X

Petro, William & Shirley
109 Myrtle Avenue
New Windsor, N. Y. 12553 X

DeWitt, James J.
101 Myrtle Avenue
New Windsor, N. Y. 12553 X

Hotaling, Richard & Mary Ann
95 Myrtle Avenue
New Windsor, N. Y. 12553 X

Mott, Arthur D. & Clara
91 Myrtle Avenue
New Windsor, N. Y. 12553 X

Yonnone, Cosmo & Stephanie
67 Myrtle Avenue
New Windsor, N. Y. 12553 X

Yonnone, Vincent J.
82 Merline Avenue
New Windsor, N. Y. 12553 X

Linton, David S. & Frances A.
59 Myrtle Avenue
New Windsor, N. Y. 12553 X

Homin, John F. & Frances
91 Merline Avenue
New Windsor, N. Y. 12553 X

Coffey, Thomas J. & Kathleen D.
14 Goodman Avenue X

New Windsor, N. Y. 12553

Mullarkey, John X
16 Goodman Avenue
New Windsor, N. Y. 12553

Hamilton, David K. & Cheryl A.
74 Lawrence Avenue X
New Windsor, N. Y. 12553

Oliver, William R.
955 Route 32 X
Wallkill, N. Y. 12589

Salamatoff, Connie X
84 Lawrence Avenue
New Windsor, N. Y. 12553

Naclerio, John & Stephanie X
87 Merline Avenue
New Windsor, N. Y. 12553

Ryan, Walter T. & Arlene M.
110 Chestnut Drive X
New Windsor, N. Y. 12553

Ponessi, Paul L. & Dorina R.
73 Merline Avenue X
New Windsor, N. Y. 12553

New Windsor Little League, Inc.
P. O. Box 4024 X
New Windsor, N. Y. 12553

Cherry, Allen R. & Ruth S.
118 Cedar Avenue X
New Windsor, N. Y. 12553

Pullar, William J. & Ulrich, Judith A.
129 Blanche Avenue X
New Windsor, N. Y. 12553

Prendergast, Thomas F. X
131 Blanche Avenue
New Windsor, N. Y. 12553

Zamenick, Frederick F., Jr. & Linda Ann
133 Blanche Avenue X
New Windsor, N. Y. 12553

McDaniel, Edmund M. & Barbara M.
123 Blanche Avenue X
New Windsor, N. Y. 12553

Rizzo, Michael & Christine X
125 Blanche Avenue
New Windsor, N. Y. 12553

O'Brien, John T. X
127 Blanche Avenue
New Windsor, N. Y. 12553

Ulrich, John & Lenz, Kimberly E. X
120 Blanche Avenue
New Windsor, N. Y. 12553

Ulrich, John J., Jr., & Georgia C. X
122 Blanche Avenue
New Windsor, N. Y. 12553

Quattrociochi, Robert J. & Deborah P. X
118 Blanche Avenue
New Windsor, N. Y. 12553

Hilfiger, Robert & Jo Ann X
116 Blanche Avenue
New Windsor, N. Y. 12553

Crudele, Rose Anna et al X
42 Chestnut Lane
Newburgh, N. Y. 12550

Crudele, Rose Anna & Crudele, Margaret C.
Crudele-Hillman, Carmella & Crudele, John C.
& Sarvis, Caroline X
90 Myrtle Avenue
New Windsor, N. Y. 12553

Smith, Donald J. & Edith H. X
24 Goodman Avenue
New Windsor, N. Y. 12553

Fornal, Stanley J., Jr. X
81 Lawrence Avenue
New Windsor, N. Y. 12553

Loger, Lynn A. X
89 Bradford Avenue
New Windsor, N. Y. 12553

Town of New Windsor X
555 Union Avenue
New Windsor, N. Y. 12553

LIBER 2208 PG 946

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

RD 33 - 9455

THIS INDENTURE, made the 4th day of November, nineteen hundred and eighty one
BETWEEN WILLIAM ROSSOMANDO, presently residing at Post Office Box
2002, Newburgh, New York

party of the first part, and EDWARD L. JOLLIE, presently residing at
32 Willow Lane, New Windsor, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN-----
-----(\$10.00)-----
dollars,

lawful money of the United States, and other good and valuable consideration paid
by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Town of New Windsor, Orange County, New York, and
being that portion of Clancy Terrace as described on a map
thereof filed in the Office of the Clerk of Orange County
designated thereon as Lot No. 172 and a portion of Lot No. 171,
ten feet wide and one hundred feet deep where the same
adjoins the aforesaid Lot No. 172, the parcel intended to
be conveyed herein being a lot of land thirty-five feet wide,
and one hundred feet deep, fronting on Myrtle Avenue in the
Town and County aforesaid

XD
KB
SJ

ALSO ALL that certain lot, piece or parcel of land lying and being in the Town of New Windsor, Orange County, New York and being that portion of Clancy Terrace as described on a map thereof filed in the Office of the County Clerk of Orange County, designated thereon as Lot #171, the portion intended to be conveyed being 15 feet as was heretofore conveyed by Harvey Weygant and Lucy Weygant to the parties of the first part by a deed dated December 23, 1948 and recorded in the Office of the County Clerk of Orange County in Liber 1109 of Deeds at page 425 on the 28th day of December 1948. The portion intended to be conveyed fronts on Myrtle Avenue and has dimensions specified above.

ALSO the southerly 10 feet of lot #170 as shown on said map hereinabove referred to.

BEING and intended to be the same premises described in a certain deed from KENNETH E. KRIZEK and HELEN V. KRIZEK, dated the 4th day of September 1975 and recorded in the Orange County Clerk's Office on the 10th day of September 1975 in Liber 2017 at page 75 of Deeds.

The instant conveyance is made and accepted subject to a certain mortgage from WILLIAM ROSSOMANDO to the WALLKILL VALLEY FEDERAL SAVINGS AND LOAN ASSOCIATION dated the 26th day of August 1975 in the amount of \$24,000.00 and which mortgage has a present unpaid balance in the amount of \$ 21,500, which the grantee hereunder assumes and agrees to pay from the date hereof, and the grantee has joined in the execution of this deed as evidence thereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

RECORDED & INDEXED
JAN 10 1908
JAN 10 1908

RECORDED & INDEXED

and other and valuable consideration

EXHIBIT

EXHIBIT

EXHIBIT

EXHIBIT

EXHIBIT

EXHIBIT

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.


The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


WILLIAM ROSSOMANDO


EDWARD L. JOLLIE

same 

83

SS:

that he is the
of

the same. *[Signature]*

43

588

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

Title No.

WILLIAM ROSSOMANDO

TO

EDWARD L. JOLLIE

SECTION
BLOCK
LOT
COUNTY OR TOWN

RETURN BY MAIL TO:

PETER H. NEUMAN
Post Office Box 2687
Newburgh, New York
Zip No. 12550

1155
Hadenburg 13-1

serve this office for use of Recording Office.

RECEIVED
\$ 11.55
REAL ESTATE
NOV 5 1981
TRANSFER
ORANGE
COUNTY

ge County Clerk's Office, S.S.
Recorded on the 34 day
of 1981 at 1:34
P.M. in Liber 2208
Book at page 226
Examined.
w. S. Murphy
Clerk